

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-44 are pending in the application, with 1, 10, 21, 22, 30, and 39 being the independent claims.

Based on the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1, 4, 5, 7-10, 13, 14, 16-25, 27-33, 35-40, and 42-44 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,016,512 to Huitema ("Huitema"). For the reasons set forth below, Applicant respectfully submits that Huitema does not anticipate claims 1, 4, 5, 7-10, 13, 14, 16-25, 27-33, 35-40, and 42-44. Accordingly, Applicant respectfully traverses.

Claims 1, 22, and 39

Independent claim 1 is directed to a method for identifying frequently accessed domain names in a customer premises equipment that includes a memory and a communication interface, the frequently accessed domain names to be provided to a network gateway for use in domain name system caching. The method includes:

searching files in the memory to identify the frequently accessed domain names; and

providing the frequently accessed domain names to the communication interface for transmission to the network gateway over a communication path.

Huitema teaches a system for prefetching and storing domain name data in a "local cache server 310" that "includes a most frequently used domain names (MFU DNs) table 320 and a validity code table 330." *See* Huitema col. 3, ll. 17-24; Fig. 3 generally. The Examiner asserts that the local cache server 310 of Huitema is a "customer premises equipment" as that term is used in claim 1. However, Huitema teaches that the "local cache server 310" is not a customer premises equipment but is instead "preferably ... a high-end network server having capacity to hold a few million records in its database and high-speed network access." *See* Huitema col. 3, ll. 24-27. Applicant's Specification defines a customer premises equipment ("CPE") as "a personal computer, data terminal equipment, or any other user device capable of executing applications that send and receive packets" over an IP network via a network gateway. *See* Applicant's Specification, para. 0035. This is different from Huitema's "local cache server 310" which is preferably a "high-end network server". In terms of the network topology of Huitema, it is "local computer 110" that is most analogous to the CPE of claim 1, not "local cache server 310". *See* Huitema col. 3, ll. 18-20.

However, the local computer 110 of Huitema does not perform any of the steps recited in claim 1 as being performed in a CPE. For example, Huitema does not teach or suggest "searching files in the memory to identify the frequently accessed domain names" in "local computer 110". Huitema therefore also does not teach or suggest "providing the frequently accessed domain names to the communication interface for transmission to the network gateway over a communication path" in "local computer 110".

Furthermore, Huitema nowhere teaches or suggests "transmission to the network gateway" of the frequently accessed domain names. In Huitema, domain names are cached by a local cache server 310 which is nowhere described as acting as a network gateway. For each of the aforementioned reasons, Huitema cannot be said to teach or suggest each of the features of independent claim 1.

Independent claim 22 is directed to a "customer premises equipment" that is "configured to search ... files in [a] memory to identify frequently accessed domain names and to provide said frequently accessed domain names to [a] communication interface for transmission to [a] network gateway". As noted above with respect to independent claim 1, it cannot be said that Huitema teaches or suggests a customer premises equipment that is configured to "search... files in [a] memory to identify frequently accessed domain names" because the local cache server 301 of Huitema is not a customer premises equipment as that term is used in independent claim 22. Huitema also cannot logically teach or suggest a customer premises equipment that is configured to "provide said frequently accessed domain names to [a] communication interface". Therefore, Huitema cannot be said to teach or suggest each of the features of independent claim 22.

Independent claim 39 is directed to a "computer program product comprising a computer useable medium having computer program logic for enabling a processor in a customer premises equipment to identify frequently accessed domain names to be provided to a network gateway for use in domain name system caching, the customer premises equipment further including a memory and a communication interface". The computer program product comprises "means for enabling the processor to search files in

the memory to identify the frequently accessed domain names" and "means for enabling the processor to provide the frequently accessed domain names to the communication interface for transmission to the network gateway". As noted above with respect to independent claim 1, it cannot be said that Huitema teaches or suggests means for enabling a processor in a CPE to "searchfiles in the memory to identify the frequently accessed domain names" because local cache server 301 of Huitema is not a customer premises equipment as that term is used in independent claim 39. Huitema also cannot logically teach or suggest means for enabling a processor in a CPE to "provide the frequently accessed domain names to [a] communication interface". Therefore, Huitema cannot be said to teach or suggest each of the features of independent claim 39.

Accordingly, the rejection of independent claims 1, 22, and 39 under 35 U.S.C. § 102(b) is traversed and Applicant respectfully requests that the rejection be withdrawn.

Claims 10 and 21

Independent claim 10 is directed to a method for selectively caching domain name system information on a network gateway that includes a cache, wherein the network gateway is attached to a customer premises equipment that includes a memory, comprising:

searching files in the memory to identify a frequently accessed domain name;

providing said frequently accessed domain name from the customer premises equipment to the network gateway;

generating, in the gateway, a domain name system query that includes said frequently accessed domain name;

transmitting said domain name system query from the network gateway to a network for resolution;

receiving, in the gateway, a response to said domain name system query from said network that includes said frequently accessed domain name and a corresponding IP address; and

storing said frequently accessed domain name and said corresponding IP address in the cache.

As stated above with respect to independent claim 1, Huitema does not teach or suggest "searching files in the memory" of a CPE. Huitema also logically does not teach or suggest providing the result of the search to a "network gateway", and further because Huitema does not teach or suggest using a network gateway as a DNS cache, as stated above with respect to independent claim 1. Likewise, Huitema cannot teach or suggest generating or transmitting a "domain name system query" from the "network gateway", nor "receiving, in the gateway, a response to said domain name system query". For each of the aforementioned reasons, Huitema cannot be said to teach or suggest each of the features of independent claim 10.

Independent claim 21 is directed to a method for selectively caching domain name system information on a network gateway in a similar manner to independent claim 10. Huitema cannot be said to teach or suggest each of the features of independent claim 21 for similar reasons as shown above with respect to independent claim 10.

Accordingly, the rejection of independent claims 10 and 21 under 35 U.S.C. § 102(b) is traversed and Applicant respectfully requests that the rejection be withdrawn.

Claim 30

Independent claim 30 is directed to a system for selectively caching domain name system information in a network gateway, comprising:

a customer premises equipment (CPE) including a memory that stores files, a communication interface for transmitting information over a communication path, and a CPE processor coupled to said memory and

said communication interface, wherein said CPE processor is configured to search said files to identify a frequently accessed domain name and to provide said frequently accessed domain name to said communication interface for transmission over said communication path; and

a network gateway including a cache, a CPE interface for receiving information over said communication path, a network interface for transmitting information over a network, and a gateway processor coupled to said cache, said CPE interface, and said network interface, said gateway processor configured to receive said frequently accessed domain name from said communication path via said CPE interface, to generate a domain name system query that includes said frequently accessed domain name, to provide said query to said network interface for transmission to a network for resolution, to receive a response to said query from said network via said network interface that includes said frequently accessed domain name and a corresponding IP address, and to store said frequently accessed domain name and said corresponding IP address in said cache.

As stated above with respect to independent claim 1, Huitema does not teach or suggest "search[ing] ... files to identify a frequently accessed domain name" of a CPE. Huitema also logically does not teach or suggest providing the result of the search to a "network gateway", and further because Huitema does not teach or suggest using a network gateway as a DNS cache, as stated above with respect to independent claim 1. Likewise, Huitema cannot teach or suggest generating or transmitting a "domain name system query" from the "network gateway", nor "receiv[ing] a response to said [domain name system] query". For each of the aforementioned reasons, Huitema cannot be said to teach or suggest each of the features of independent claim 30.

Claims 4, 5, 7-9, 13, 14, 16-20, 23-25, 27-29, 31-33, 35-38, 40, and 42-44

Applicant submits that dependent claims 4, 5, 7-9, 13, 14, 16-20, 23-25, 27-29, 31-33, 35-38, 40, and 42-44 are not anticipated by Huitema for at least the same reasons as independent claims 1, 10, 21, 22, 30, and 39 from which they respectively depend and further in view of their own respective features. Accordingly, the Examiner's rejection of

claims 4, 5, 7-9, 13, 14, 16-20, 23-25, 27-29, 31-33, 35-38, 40, and 42-44 under 35 U.S.C. § 102(b) is traversed and Applicant respectfully requests that the rejection be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 2, 3, 11, and 12

The Examiner has rejected claims 2, 3, 11, and 12 under 35 U.S.C. § 103(a) as being obvious over Huitema in view of U.S. Patent Application US 2002/0126812 to Majewski et al. ("Majewski"). For the reasons set forth below, Applicant respectfully submits that the Examiner has failed to make out a *prima facie* case of obviousness of claims 2, 3, 11, and 12 based on the combination of Huitema and Majewski.

The combination of Huitema and Majewski does not render obvious claims 2 and 3

As demonstrated above, Huitema does not teach or suggest each and every limitation of independent claim 1, and thus it cannot render obvious that claim. Majewski does not provide the missing teachings or suggestions. Accordingly, Applicants maintain that the combination of Huitema and Majewski does not teach or suggest each and every feature of independent claim 1. Dependent claims 2 and 3 are also not rendered obvious by Huitema and Majewski for at least the same reasons as independent claim 1 from which they depend and further in view of their own respective features. Accordingly, the Examiner's rejection of claims 2 and 3 under 35 U.S.C. § 103(a) is traversed and Applicant respectfully requests that the rejection be withdrawn.

The combination of Huitema and Majewski does not render obvious claims 11 and 12

As demonstrated above, Huitema does not teach or suggest each and every limitation of independent claim 10, and thus it cannot render obvious that claim. Majewski does not provide the missing teachings or suggestions. Accordingly, Applicants maintain that the combination of Huitema and Majewski does not teach or suggest each and every feature of independent claim 10. Dependent claims 11 and 12 are also not rendered obvious by Huitema and Majewski for at least the same reasons as independent claim 1 from which they depend and further in view of their own respective features. Accordingly, the Examiner's rejection of claims 11 and 12 under 35 U.S.C. § 103(a) is traversed and Applicant respectfully requests that the rejection be withdrawn.

Claims 6, 15, 26, 34, and 41

The Examiner has rejected claims 6, 15, 26, 34, and 41 under 35 U.S.C. § 103(a) as being obvious over Huitema in view of U.S. Patent Application US 2002/0120783 to Evgey ("Evgey"). For the reasons set forth below, Applicant respectfully submits that the Examiner has failed to make out a *prima facie* case of obviousness of claims 6, 15, 26, 34, and 41 based on the combination of Huitema and Evgey.

The combination of Huitema and Evgey does not render obvious claim 6

As demonstrated above, Huitema does not teach or suggest each and every limitation of independent claim 1, and thus it cannot render obvious that claim. Evgey does not provide the missing teachings or suggestions. Accordingly, Applicants maintain that the combination of Huitema and Evgey does not teach or suggest each and every feature of independent claim 1. Dependent claim 6 is also not rendered obvious by

Huitema and Evgey for at least the same reasons as independent claim 1 from which it depends and further in view of its own respective features. Accordingly, the Examiner's rejection of claim 6 under 35 U.S.C. § 103(a) is traversed and Applicant respectfully requests that the rejection be withdrawn.

The combination of Huitema and Evgey does not render obvious claim 15

As demonstrated above, Huitema does not teach or suggest each and every limitation of independent claim 10, and thus it cannot render obvious that claim. Evgey does not provide the missing teachings or suggestions. Accordingly, Applicants maintain that the combination of Huitema and Evgey does not teach or suggest each and every feature of independent claim 10. Dependent claim 15 is also not rendered obvious by Huitema and Evgey for at least the same reasons as independent claim 10 from which it depends and further in view of its own respective features. Accordingly, the Examiner's rejection of claim 15 under 35 U.S.C. § 103(a) is traversed and Applicant respectfully requests that the rejection be withdrawn.

The combination of Huitema and Evgey does not render obvious claim 26

As demonstrated above, Huitema does not teach or suggest each and every limitation of independent claim 22, and thus it cannot render obvious that claim. Evgey does not provide the missing teachings or suggestions. Accordingly, Applicants maintain that the combination of Huitema and Evgey does not teach or suggest each and every feature of independent claim 22. Dependent claim 26 is also not rendered obvious by Huitema and Evgey for at least the same reasons as independent claim 22 from which it depends and further in view of its own respective features. Accordingly, the

Examiner's rejection of claim 26 under 35 U.S.C. § 103(a) is traversed and Applicant respectfully requests that the rejection be withdrawn.

The combination of Huitema and Evgey does not render obvious claim 34

As demonstrated above, Huitema does not teach or suggest each and every limitation of independent claim 30, and thus it cannot render obvious that claim. Evgey does not provide the missing teachings or suggestions. Accordingly, Applicants maintain that the combination of Huitema and Evgey does not teach or suggest each and every feature of independent claim 30. Dependent claim 34 is also not rendered obvious by Huitema and Evgey for at least the same reasons as independent claim 30 from which it depends and further in view of its own respective features. Accordingly, the Examiner's rejection of claim 34 under 35 U.S.C. § 103(a) is traversed and Applicant respectfully requests that the rejection be withdrawn.

The combination of Huitema and Evgey does not render obvious claim 41

As demonstrated above, Huitema does not teach or suggest each and every limitation of independent claim 39, and thus it cannot render obvious that claim. Evgey does not provide the missing teachings or suggestions. Accordingly, Applicants maintain that the combination of Huitema and Evgey does not teach or suggest each and every feature of independent claim 39. Dependent claim 41 is also not rendered obvious by Huitema and Evgey for at least the same reasons as independent claim 39 from which it depends and further in view of its own respective features. Accordingly, the Examiner's rejection of claim 41 under 35 U.S.C. § 103(a) is traversed and Applicant respectfully requests that the rejection be withdrawn.

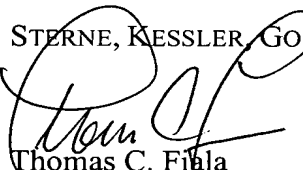
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Thomas C. Fiala
Attorney for Applicant
Registration No. 43,610

Date: 2/24/06

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
449864v1